

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MAURICE GHOLSTON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Case No. 16-12300

Criminal Case No. 13-20187

Hon. Gerald E. Rosen

Magistrate Judge Anthony P. Patti

**ORDER ADOPTING  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on January 6, 2017

PRESENT:     Honorable Gerald E. Rosen  
                     United States District Judge

On September 30, 2016, Magistrate Judge Anthony P. Patti issued a Report and Recommendation ("R & R") recommending that the Court deny Petitioner Maurice Gholston's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. No objections have been filed to the R & R, and the deadline for doing so has passed.<sup>1</sup> Having reviewed the R & R, the parties' submissions in

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<sup>1</sup>The Court recognizes that the R & R initially was served upon Petitioner at a federal correctional institution where he no longer resided. Petitioner has since filed a notice of his new address, however, and on December 6, 2016, the R & R was served upon Petitioner at the address identified in this notice.

support of and in opposition to Petitioner's underlying § 2255 motion, and the remainder of the record, the Court fully concurs in the Magistrate Judge's analysis and recommended rulings, and thus adopts the R & R in its entirety. Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's September 30, 2016 Report and Recommendation (docket #74) is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the Magistrate Judge's R & R, that Petitioner's June 21, 2016 motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence (docket #65) is DENIED.

Finally, in light of the clear and well-settled grounds upon which the Court has resolved the claims asserted in Petitioner's § 2255 motion, IT IS FURTHER ORDERED that a certificate of appealability is DENIED as to any appeal that Petitioner might pursue from the Court's rulings in this § 2255 proceeding.

s/Gerald E. Rosen

United States District Judge

Dated: January 6, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 6, 2017, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, (313) 234-5135